IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

WP(C).No. 28408 of 2004(F)

PETITIONER:

M/S.GEEKAY HYGIENICS PVT. LTD.,
V/373-B, PONNAYAM, ASAMANNUR P.O., ERNAKULAM,
PIN-683 549, REP. BY ITS MANAGING DIRECTOR,
MAHESH KUMAR, AGED 34, S/O. LATE BAGHYANATHAN,
RESIDING AT KAVUMAKKIL, PUTHENPURAYIL, CHERTHALA.

BY ADV. SRI.C.AJITH KUMAR,
SRI.C.ANILKUMAR,
SRI.N.SAJAN ANTONY.

RESPONDENTS:

1. **DIRECTOR,**
   BUREAU OF INDIAN STANDARDS, T.C.14/1421,
   UNIVERSITY P.O., PALAYAM, TRIVANDRUM-695 034.

2. **UNION OF INDIA,**
   REP. BY CENTRAL GOVERNMENT PLEADER,
   HIGH COURT OF KERALA.

BY ADV. SRI.N.NEELAKANTAN ELAYATH,ADDL.CGSC,
GOVT. PLEADER SRI. K.V. MANOJ.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.28408/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE COMMUNICATION DTD. 17/10/2003 SENT TO THE PETITIONER BY R.1.

EXT.P.2.A: COPY OF THE RECEIPT FOR RS.7,560/- DTD. 01/01/2004 ISSUED TO THE PETITIONER.

EXT.P.2.B: COPY OF THE RECEIPT FOR RS.4860/- DTD. 03/08/2004 ISSUED TO -DO-.

EXT.P.3.A: COPY OF THE QUOTATION RECEIVED BY THE PETITIONER DTD. 18/05/2004 FROM DELHI TEST HOUSE.

EXT.P.3.B: COPY OF THE QUOTATION RECEIVED BY PETITIONER DTD. 04/12/2003 FROM VIMTA LABS LTD.

EXT.P.4: COPY OF THE CORRESPONDENCE DTD. 27/07/2004 ISSUED TO THE PETITIONER BY THE R.1.

RESPONDENT'S EXHIBIT:

EXT.R.1: COPY OF THE LETTER OF ACCEPTANCE DTD. 23/10/2003.

//TRUE COPY//

prv.

KURIAN JOSEPH J.

W.P.(C) No.28408 of 2004

Dated 6th July, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayer :-

> "Issue a writ, order or direction restraining the first respondent from collecting Rs.84,000/- as marking fee while allowing the petitioner to continue his trade in package drinking water by conducting the test contemplated by the Bureau of Indian Standards, 1986 with Public Analytic Lab and submitted the same to the 1st respondent."

In the statement filed through the Central Government Standing Counsel, the break up of the fixation is furnished and the same is defended also. In view of the facts as stated in the statement, in case the petitioner has still any grievance left, it will be open to the petitioner to approach the first respondent, in which case, the matter will be duly considered by the first respondent with notice to the petitioner.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

tgs

KURIAN JOSEPH, J.

O.P. NO. OF 200

J U D G M E N T

Dated 6th July, 2007.